

A

**T R A C T**  
ON THE  
**NATIONAL INTEREST,**  
AND  
**DEPRAVITY of the TIMES:**

IN WHICH

The SUBJECTS CLAIMS to certain Rights in  
R—P—, are fully considered and digested.

BEING  
A SUPPLEMENT to GERMAN CRUELTY.



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A  
TRACT  
ON THE  
NATIONAL INTEREST, &c.

**T**HE pamphlet, of which this is a supplement, was designedly sent into the world to alarm the good people of these kingdoms, against a measure, of all others, the most obnoxious to the British constitution; and the author flatters himself, that those sheets had no small share in raising that glorious spirit among his

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countrymen, which occasioned the expulsion of *foreign* mercenaries from the realm; and brought an everlasting stigma on the memories of all those scandalous advisers and promoters of so wicked and unconstitutional a measure.

The *vox populi* did at last reach the ear of majesty, and our gracious sovereign was pleased to quiet the minds of his faithful subjects, by removing from his cabinet a group of ministers, that had adopted a system of government diametrically opposite to the true interest of their king and country.—I say king and country, whose interests ever were, and will be eternally the same; and whoever presumes to separate them, or to establish a measure, seemingly beneficial to one, and clashes at the same time with the interest of the other, must be an enemy to both.

There are many instances of aspiring ministers having wormed themselves into their master's favour, by soothing their passions, and flattering them into an opinion, that they  
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had interests very different from those of their subjects.

Such, no doubt of it, were the ministers of king Vortigern, who made that puissant prince believe, that he must not depend upon the loyalty, affection and courage of his natural-born British subjects, for the support and defence of his crown and dignity ; but rely on the assistance of foreign mercenaries, whose trade was war and devastation. Their political maxim was, that objects plain and simple are not fit for princes to behold, they must not see things as they really are, but view them through a ministerial medium, adapted to the fine-spun schemes of state jugglers, by whose legerdemain the wheel of government may be kept moving, and an administration, the most wicked, venal and corrupt, supported.

Therefore those state-pilots took care to conceal from their master, the true cause and spring of their steering such courses ; they would not let him see that it was arbitrary and unconstitutional measures, illegal and oppressive taxations, invading the natural rights

and liberties of the people, misapplication of the publick treasure, in squandering it away on venal, time-serving favourites, and corrupting the commonalty to support their wicked schemes ; or in expeditions, only calculated to aggrandize some particular leaders ; or to fling the national property into the coffers of a few, by corrupt contracts ; leaving at the same time their country, and its fortresses, an easy prey to an invading enemy ; and lastly, in forbidding particulars, under severe penalties, the use and benefit of those creatures, which the supreme disposer of all things in the universe has been graciously pleased to make common to all.

I say they would not let their king see or understand, that all, or any of the above measures, or any arbitrary strides or stretches of the prerogative royal, beyond the bounds of law, reason, and common justice, made it necessary to call in foreign blood-hunters, to support them in their tyrannical system of government. On the contrary, they represented his subjects to be an ungovernable and stiff-necked generation, ever given to change,

change, pretending to have a right to privileges inconsistent with monarchical government; therefore it was absolutely necessary to strengthen himself, by hiring of foreigners that had no manner of connection with them, nor any idea of their pretended rights and privileges.— That if he intrusted his subjects with arms to oppose the incursions of his foreign enemies, they might possibly turn them against himself, in favour of the *Pretender Aurelius Ambrosius*, his inveterate, and most to be feared enemy.

By such fallacious and wicked arguments did they insinuate into the mind of that weak prince, that he had an interest to maintain incompatible with that of his people, which brought upon both a catastrophe, which hardly ever fails being the consequence of such counsels; and one might reasonably think, would have deterred all future ministers, even for their own sakes, from steering a course so extremely dangerous to themselves, as well as to the king and kingdom.

Such also were the ministers of king John, who advised that prince to send for aid out  
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of Flanders and Bretagne, and to allot Norfolk and Suffolk for the support of his foreign friends ; but here the providential arm of almighty God was extended in defence of this island ; for no less than threescore thousand of those foreigners, with their general Hugh de Bones, were over-taken by a tempest, and drowned in their intended passage, to the great joy and deliverance of the English people ; and I may say happy it was for the king, his successors, and we that now inhabit the same spot of earth ; for in all probability, had Hugh landed safe, with so great and powerful an army, John's posterity would not have succeeded to the English crown, neither had the present reigning family been amongst us.

King Charles the II<sup>d</sup>. a prince of much superior abilities and penetration than either of the former, was also made to believe, by flatterers and evil counsellors, that he had an interest to support, different from that of his people ; for, after hearing many grievous complaints against his favourite, the duke of Lauderdale, in the privy council, being asked what he now thought of his grace, answered

answered very readily ; they have alledged many damned things he has done against his country, but none against my service. In which that monarch was greatly mistaken, for every thing done against his country, proved, in the end, to be done against himself and family ; and laid the foundation of the many evils this bleeding country now labours under.

This short sketch of that haughty favourite, is a lively picture of all aspiring, wicked ministers, who never fail to consult the passions of their masters, rather than their interest ; which will eternally be the same with that of their subjects.

Wherein does the power and greatness of a prince consist ? I answer, in the number, riches and affection of his people ; it is from them that he derives his lustre, and his greatness will always be in proportion to their riches and happiness.

Riches, trade and commerce are no where to be found but in the regions of freedom,  
where

where the lives and properties of the subjects are secured by wholesome laws. No where else, in no other soil can they grow or subsist; oppression and slavery being weeds the most obnoxious and ever deemed the greatest enemies to industry, art, and science. Who with anxious care will manure, cultivate, and sow his land, without a moral certainty of reaping the crop for the benefit of himself and family? Will the manufacturer keep his looms employed, when he cannot find a market for the fruit of his industry, that will give him a profit sufficient to support himself and dependents? Is it possible for him to find such a market, when labour and all the materials of which the manufactory is composed, are burdened with heavy and ruinous taxes, raised to support interests diametrically opposite to the well-being of the people, to feed the avarice, and supply the wants of a luxurious, venal, and corrupt administration? no, it is impossible; the land will lie uncultivated, trade and commerce will be neglected, and the people will grow poor and heartless, with hardly spirit sufficient to propagate the species

species, by which the lustre of the prince will be greatly impaired ; for, as was before said, his glory and strength depend on the number, riches and affection of his subjects ; but oppression and slavery are sure to thin a country of its inhabitants, and, instead of wealth and grandeur, place therein want and beggary.

Therefore it is evident, that a minister who adopts a system of government, coincident with the rights and privileges of the people, and does his utmost to promote their welfare and happiness, is the best friend to his king, as well as his country.

But on the contrary, a minister, that in order to sooth, or comply with the passions or humour of his prince, shall steer a course injurious to the rights of his fellow subjects, and upon all occasions makes encroachments upon liberty, by stretching the royal prerogative beyond its due bounds, is both a traitor to his sovereign, and an enemy to his country ; and, by the constitution of England, those ministers have been ever deemed as such,

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and have been often brought to that disgrace and punishment, which the atrocity of their crimes so richly deserved.

Neither is it the least degree of excuse to say, they have the sanction of p——t for their unjust measures; for that would be to say, it is impossible the majority of a h—— of c——s should be corrupt, or under the undue influence of a mal-ad—n; when we all know that former r——ves of the people, without going so far back as Richard the IIId, have been returned to p——t by the most undue means, even an open and avowed bribery and corruption. Then if the foundation be rotten and corrupt, what can we expect the superstructure to be? The answer is extremely plain, it will, no doubt of it, be of the very same texture as the foundation, which experience has abundantly too often envinced.

Let us but take a retrospective view of some measures pursued by former ministers, that met with the approbation of p——t, and we shall perceive, the spring of all those evils

evils this poor country labours under at present, to flow from that iniquitous monster, bribery and corruption, generated by dame luxury, under the auspices of wicked and abandoned ministers.

From what other cause has sprung all our miscarriages of late, and heretofore? To what shall we attribute the passing of so many unconstitutional acts, and the confirmation of so many unconstitutional measures? Let me ask any dispassionate impartial man, if we are not obliged to bribery and corruption for the repeal of the most material clause in the act of settlement? Are not the blessings of a septennial, instead of a triennial p——t, owing to the same cause? Does not a standing mercenary army, the exercise of martial law in time of peace, and the quartering of soldiers on the subject, contrary to the bill of rights, spring originally from the same quarter? To what other cause can be attributed that great restraint put upon British liberty by the riot and smuggling acts?—The ruin of a great part of the nation by the deep-laid South-sea scheme, among which were some of the an-

cientest and best families in the kingdom, to make room for upstarts and foreigners? How else, shall we account for the many repeals of that bulwark of liberty, the *babeas corpus* act, and for that ever-memorable attempt to overturn Christianity in this kingdom, and thereby transfer the lands and possessions of free-born Britons, into the hands of the sons of Jacob—The confirmation of several iniquitous treaties, among which, one in particular engaged to make a peace for the Dutch with the Algerines, whereby they were enabled to deprive us of, and very soon became our rivals in the greatest and most beneficial part of the Mediterranean trade; by no less a sacrifice could we engage those faithful allies to accede to the famous treaty of Hanover, by which our wise ministers engaged to take part with the French king against the monarch of Spain, in a quarrel wherein this nation was no ways concerned; thereby preferring, contrary to all true policy, the friendship of the natural enemy of England, with that of a nation closely connected with us, in regard to commercial interest; and from which great benefit has accrued to this kingdom.

dom —— The ignominious convention with Spain, whereby our merchants were bubbled out of a prodigious sum —— Another, that produced a famous neutrality, and put a padlock on the sword of one of our brave admirals. — And one more scandalous, if possible, than all the rest, obliged us to send hostages to France ; which will appear an everlasting disgrace to the British nation in the annals of Europe — Several others, by which our wise m——rs engaged to pay subsidies to foreign states, the sinks of British wealth, for mercenary troops to protect a country that could by no means be any availment to these kingdoms — And, to fill up the measure of m——l iniquity, will not the importation of foreign mercenaries, not accountable to the laws of England for murder, theft, or any other crime, injury, or act of violence, however atrocious, committed against the free-born people of this land, of which we have a recent instance given us in the affair of the Hanoverian thief at Maidstone, be an invincible proof of the great influence bribery and corruption has had in high places, and that a p——ry sanction is

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no argument to exculpate bad measures, bad ministers, and make that to be just, which in its own nature is otherwise?

The loss of that inestimable jewel Minorca, our great miscarriages and losses in America, and our fellow-subjects in that country being exposed not only to all the miseries of war, but also to the excessive cruelties of the most barbarous enemy, are generally confessed not to be owing to the chance of war. What then! From whence can we suppose all these misfortunes to arise? Are not bribery and corruption at the bottom? Are they not the spring of all our mismanagements and losses, both at home and abroad? There is no doubt to be made of it; and therefore will be an everlasting memorial of a corrupt, wicked, and nefarious ad——n.

It is in vain to plead ignorance, and that our misfortunes proceed only from error in judgment.

Has not the late superintendant of our marine given sufficient proof of his great skill and knowledge in naval affairs? There is no doubt

doubt of it ; cast your eye over the history of his own voyage round the world, wrote and published by his own direction, and there you'll see a convincing proof of his great abilities in those respects.

Who will presume to say that the great man, who for many years, at the bar, on the bench, in the senate, and the cabinet, has been esteemed an oracle for wisdom, whose great and uncommon abilities had raised him, notwithstanding the meanness of his birth, to the highest honour and preferment in the state—To lord it over lords, and make the mighty ones of the land bow down before him, could be so infatuated as not to see the obliquity of such ruinous measures, and that the introduction of foreign troops into the kingdom (not subject to its laws) was dangerous to liberty, and tended to the subversion of the excellent constitution of Britain? No coverings can hide such enormities—they are too flagrant—too open to be concealed from the view of the publick, who have an indubitable right to demand justice for such violent attacks upon the fundamental laws of  
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the kingdom—Birth-rights provided for us, by our brave ancestors, which we their posterity can by no means surrender, without giving a shock to human nature, and every thing that is sacred.

The fundamental laws of this kingdom were made for the security of that liberty, which every subject has a natural right to; and they were secured by the most sacred ties that the wisdom of our great progenitors could invent. No man can surrender a natural right, without giving a shock to that nature which is innate in him; nor can he break through a law religiously made for its security, without giving offence to the supreme governor of the world.

The ingenious author of the fifth letter to the people of England, is, I humbly apprehend, a little mistaken, when he says, that “ no statute has mentioned the limitation of “ p——y power before the Revolution,” for if he will look into a statute made in the reign of Edward the first, intitled, “ a confirmation of the charters of the liberties  
“ of

" of England and of the forest," &c. he  
 will see in the third and fourth chapters, the  
 said charters so strongly confirmed, as seem-  
 ingly to be out of the reach of subversion  
 or alteration by any power upon earth; the  
 chapters are in these words, " and we will,  
 " that the same charters shall be sent, under our  
 " seal, to cathedral churches throughout our  
 " realm, there to remain, and shall be read be-  
 " fore the people two times by the year. And  
 " that all archbishops, and bishops shall pro-  
 " nounce the sentence of excommunication  
 " against all those, that by *word, deed, or*  
 " *council*, do contrary to the foresaid char-  
 " ters, or that in any *point* break or undo  
 " them. And the said curses be twice a  
 " year denounced, and published by the  
 " prelates aforesaid. And if the same pre-  
 " lates, or any of them, be remiss in the de-  
 " nunciation of the said sentences, the arch-  
 " bishops of *Canterbury* and *York*, for the  
 " time being, shall compel and constrain them  
 " to the execution of their duties in form  
 " aforesaid."

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Here

Here our ancestors endeavoured to secure our liberties by the highest religious obligations, and as this act is in force at this time, (and I hope ever will remain so) I can't see how my lords the bishops can excuse themselves from complying with the tenor of it \*.

— From whence it is plain that our *magna charta*, and *charta de foresta* are the basis of English liberty ; and whoever goes about to infringe, alter, or subvert any of the articles therein contained, by *word, deed, or council*, stands liable to excommunication, and to be proceeded against with the utmost severity of the law †. Thus early

\* Vide, the guide to the knowledge of the rights and privileges of Englishmen.

† In the sentence of excommunication ordered to be pronounced by the bishops in Henry the third's reign, it is expressly said, and all that *secretly, or openly, by deed, word or council, do make statutes, or observe them when made, or that bring in customs, or keep them, when they be brought in, against the said liberties, or any of them, the writers, law-makers, counsellors, and the executioners of them, all and every of which persons before-mentioned, that wittingly shall commit any of the premisses, let them well know that they incur the foresaid sentence, ipso facto, (that is upon the deeds being done.) — Vide, the guide to the knowledge of the rights and privileges of Englishmen.*

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did our brave progenitors provide for the security of the English constitution, by this religious tye, which bound both king and people from ever attempting the subversion of those laws which were by them designed to be the corner stone of British liberty, and unalterable, like those of the Medes and Persians. O my countrymen ! do but carefully cast your eyes over these fundamentals, together with the bill of rights, and act of settlement, and you will, by an easy comparison of things, very soon discover the many breaches that have been made in these bulwarks of your constitution, which I doubt not will swell your truly English breasts with a noble abhorrence of the authors and contrivers of such great mischiefs to your country. Has not justice been already too long impeded ? and have not the highest delinquents, the most atrocious offenders and plunderers of the publick escaped with impunity, whilst honours and preferments, due only to the meritorious, have been conferred on the underving ? How comes these things to pass ! How comes it to pass that gentlemen of approved courage and fidelity have been neglected, and left at home to join in the general

neral lamentation for their country's ruin, whilst poultry time-servers, suspected cowards, without either character or reputation, unless it be for having connexions with some venal borough-monger; and foreigners, contrary to the act of settlement, have been preferred to great commands in our fleets and armies? Why was the great V——n discarded? Oh silence! For shame speak it not! lest it cast a shade upon the rising splendor of a certain great V——e R——y; let it suffice to declare that he was too brave, too wise, and too good to serve under so v——l an ad——n.

From what has been said, it is evident that a p——t cannot make a straight line crooked, nor give uprightness to obliquity; what things are in their own nature, will for ever so remain, and a m——r that endeavours to establish an interest in the crown, different from that of the people, altho' he has the sanction of p——t, is an enemy to both his king and his country.

This being premised, I would beg leave to know what appellation those m——rs deserve,

serve, that have been the advisers and promoters of subsidiary treaties, and sending great armies to the continent, to the great impoverishing and weakening their country, an oppulent kingdom, for the support of a state connected with it, neither by situation, religion, laws, traffick, similitude of manners, nor any one thing whatsoever, excepting its being under the government of the same prince?—That it may be for the interest of H—r and its e—r, abstracted from his being k—g of G—t-B—n, that H—r should be enriched and supported by E—d, I will not take upon me to disprove; but, that it is the interest of G—t-B—n, and its k—g, our present most gracious f—n, that the subjects of G—t-B—n should be fleeced, their blood shed, and their wealth, by millions, squandered away in support of that pitiful e—te, or any other petty G—n st—e, I absolutely deny; for it is impossible they should ever make any return adequate to the expence, which a long and fatal experience has clearly evinced.

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By looking back into our English history, we shall there find that from the conquest, down to this time, foreign interests and states upon the continent have been the sink of English blood and treasure, without the least benefit accruing therefrom to the nation.

What prodigious sums of English money did Henry the third lavish away in his parading journeys on the continent, to visit foreign dominions? One of which is recorded to cost him no less than seven and twenty hundred thousand pounds—A monstrous sum in those days! And more than all his foreign lands were worth, or would have fetched, had they been valued and put up to sale.

His brother, Richard earl of Cornwall, who was the richest prince, below the dignity of a king, then in Europe, had also a violent inclination to be meddling with the continent, and, by virtue of his English angels, procured himself to be elected king of the Romans, (notwithstanding Alphonsus the learned monarch of Spain was his competitor, for with the German princes, money is of more weight,

weight, and will more strongly recommend than the greatest accomplishments) upon which he passed over to Germany in royal pomp and splendor, carrying with him thirteen hundred thousand pounds, (a sum never before seen in that part of the world) and a great number of the English nobility, who did not go with empty purses, but made a point of doing honour to their king, in the person of his brother, by a generosity peculiar to the English nation. Soon after his arrival, he was solemnly crowned by the archbishop of Cologn, and for some time nothing was to be seen but the highest festivity, splendid shews, tournaments, and feats of activity, which dazzled the eyes of his new subjects, and made them almost ready to fall down and worship their new sovereign, and gave them an invincible desire of seeing a country which was the fountain of so much wealth and grandeur; but the scene was soon changed, he had not long wore the royal diadem, before his great wealth was amazingly devoured by the hungry Germans, and none of it ever returned back into the king's coffers. For the German states are like a barren sterile soil, that will in a short

time

time eat up all the manure that can be given it, without leaving the least appearance of an improvement.

Such was the fate of Richard king of the Romans, who, when his English money was dispersed in the wild wastes of Germany, being unable to support himself, was obliged to return to his native land ; and it has been remarked, that as he went out of England the richest earl, so he returned the poorest king in the whole world.

The carrying of such vast sums out of the kingdom by Henry and his brother, brought great distress on the people, which could not be overcome in the course of many years, and was likewise the occasion of internal quarrels, that had very near overwhelmed and reduced the government to a state of anarchy and confusion.

The pursuit of measures so contrary to the well-being of the land, gave the barons a good handle for opposing the king and his ministry ; which they did with advantage,

and thereupon his majesty, by the advice of his evil counsellors, sent for an army of Poictuvins to assist him, which gave such offence to his subjects, that the generality of them, zealous of their liberties, joined the barons, and obliged the king to dismiss those troops, and order a general exportation of foreigners out of the kingdom, among which were some of his near relations.

This being effected, the mist occasioned by foreign prejudices was soon dispersed, and his majesty enabled to discover what was his true interest — That his surest safeguard and strength were the affection and goodwill of his subjects, which, upon his pursuing truly English measures, he very soon obtained, and by that means his latter days were all serene and calm ; in which little time he enjoyed more real happiness, than he had done in the course of a long reign before ; and after he had settled peace in his conscience, as well as his kingdom, he made his *exit* with a good grace, leaving his crown to his eldest son Edward, who had taken the cross upon him, and was at that time in

the Holy Land, whose interest the dying king recommended to the care of his nobles, who approved themselves faithful and loyal subjects. And such the people of England have ever been, while they were allowed an uninterrupted enjoyment of their rights and privileges; but when those rights and privileges have been invaded, and their properties became precarious, they have hitherto exerted that noble spirit, which have made them famous in the annals of Europe,

This country has been long under an administration venal and corrupt beyond description; we all know it! we all feel it! — And m—y itself was so far convinced, as to remove from the helm those mercenary pilots pointed at by his subjects as the authors of their miseries, and that were always ready, for sordid hire, to wreck the ship upon the first shoals they came to, or deliver her into the enemy's hands. We had then reason to hope that a strict enquiry would be made into the causes of our misfortunes, that all past abuses would be corrected, and that exemplary punishment would be inflicted on all those, who had been any ways

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concerned in bringing so many evils upon this free and once happy nation. We had the most pleasurable prospects opening to our view, their very glimmerings gave the greatest delight to every Englishman that's a well-wisher to his country.

But what shall we say!—The clouds rise! The welkin begins to thicken, and our prospects vanish! More storms are gathering, and almost ready to gush forth upon us; the pilots on whom we most depended are discharged, and it plainly appears, that our great wickedness made us unworthy of them. Let us shew to the world that we have not lost all sense of virtue! let us confer all the honours upon the discarded patriots, which a grateful people can bestow, and their zeal for the public service, and earnest endeavours to restore health to our crazy constitution, so richly deserve! let us put no trust in quacks and empyrics, for be assured that nothing will cure our disorders, but a thorough purgation, by which the blood of the body-politic (if I may be allowed the expression) may

be cleansed of all its *fetid* and implacable humours.

Then—and not till then—may we expect to see religion and virtue cherished, under the patriotic wings of a faithful ministry; luxury and vice every where and at all times discountenanced; and bribery and corruption no longer suffered to prey upon the vitals of the kingdom, by issuing the publick money out of the exchequer, to keep up a m——l interest in venal boroughs, which are a disgrace to the British constitution !

Then fair virtuous liberty will once more raise her drooping head, and gloriously preside in the councils of the great—Then, my countrymen ! we shall see that harmonious confidence restored between the adm——n and the publick, which is absolutely necessary to the happiness and well-being of the state—The supplies will be chearfully raised, and applied with the greatest prudence and frugality—Gentlemen of ability and merit only will be employed in the different departments of the government, and our fleets  
and

and armies put under the command of experienced officers, of approved courage and loyalty—Then will our armies and fleets be victorious, and the royal navy of England triumphantly resume the dominion of the sea, and that respectability which has been ever due to the British flag—Then will every branch of our commerce be encouraged, pinching want and penury be forced to leave the habitations of our industrious manufacturers, our most grievous taxes be abolished, and the whole kingdom shall bless the cause of its happiness — Then we shall no more hear of kidnapping whole regiments, as was the case of C——lls, after being enlisted for a certain number of years, under promises and the strongest assurances, of not being obliged to serve out of the kingdom— —Then will be discontinued the iniquitous and unconstitutional method of entering the houses, impressing and hauling away the free born subjects of Britain, not charged with any manner of crime, from their wives and families, and forcing them into the most stinking goals and dungeons, exposed to all the hardships and cruelties generally exercised

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in those places, in order to oblige them to enter into an army subject to military laws, and thereby depriving them of their invaluable birthrights for life, which are nothing less than the laws, rights, and liberties of Englishmen.

Then we may expect to be again intrusted with arms, to defend ourselves against our open and secret enemies, to see a well-regulated constitutional militia established by law, that we may fight our own battles in defence of our king and country, and bid defiance to all foreign invaders of whatever denomination. And lastly, when the more weighty affairs of the state are adjusted, we may humbly hope to see its lesser concerns taken into consideration—We may then expect a restoration of all those ancient rights and privileges which have been taken from us, either by m——l craftiness, or open violence.

Among those rights and privileges, are many that require our strictest attention—  
Worthy—very worthy of which, and which

I beg

I beg leave to mention in this place, is the long-contested right of the people to a free passage through R—— p——; a privilege they always enjoyed, until the late Sir Robert W——le audaciously divested them of it, and thereby put a stop to that communication and intercourse of business, which had ever been carried on between the neighbouring towns and villages, to their mutual advantage.

It is well known that R—— p—— was inclosed by king Charles the first, contrary to the advice of some of his council\*, who had not the character of being endued with too much patriotic virtue, and that great part of it was common land before it was inclosed: And it is also as well known, that the people of England, without any exception whatsoever, were suffered to pass and repass, by night, by day, and at all times, over the said p——, until the above fatal period, when the grand corruptor of the nation, the waster, even to a prodigality, of his country's liberties,

\* Archbishop Laud and lord Cottington. Vide Clarend. Hist. Reb,

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made the management of the p— a part of his venal administration ; for, in fact, he was not the real r—r, the right being in his son the lord W—le, who succeeded the lord Rochester, afterwards earl of Clarendon.

The inclosing of p—s for the reception of deer, and the locking them up under pretence of securing those animals, has for many years been a growing evil. If we look round, we shall find it a matter of complaint in Oxfordshire, and many other counties, that the people have thereby been illegally deprived of some of the antient roads of the kingdom, which has been very hurtful to the properties of many, and highly prejudicial to the general commerce of the kingdom. That there were roads over those lands which are now a part of R—p—, before either pale or wall was erected, is evident to every judicial observator, without prying into antient maps and records, where they are also particularly described. A foot-way has been already recovered and restored to the people, therefore what follows has no regard to any other foot-way whatever.

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Can it be reasonably supposed, that so large a tract of land, very near ten miles in compass, within less than the same number of miles of the capital of the kingdom, and great part of it common, should not have one road a-cross it? Can the most sanguine m——l advocate imagine, that parishes whose boundaries meet in the p—, should have no way for the inhabitants of those parishes to pass and repass into each other's parish, to transact the necessary affairs that people so situated may have with each other, without going many miles about through other parishes? Is there any place in the kingdom besides so situated? There is one hamlet divided into two parts by the p—, and the inhabitants, since the right of passage has been taken from them, have been obliged to go miles about, through another parish, to repair a highway on the other side the p— in their hamlet: Can this be right? There are houses in the neighbourhood of the p— very distant from either town or village — Suppose a fire, or any other dreadful calamity, should befall their inhabitants; or that

the doctor's or midwife's immediate assistance should be wanted, ought the formidable walls of this p— to hinder their neighbours in the adjoining parish from giving their friendly and neighbourly assistance? Or the good lady of the mansion, or any one else, suffer for want of timely assistance? Who will say it ought! Yet in the last instance it can be proved, that a gentleman of the faculty has been refused a passage, on the most pressing emergency.

Let even the **gentlemen of figure and fortune** but take a view of the p—, and they can't avoid seeing (unless blinded by two luxuriously feeding upon venison) the marks of the ancient roads, altho' the greatest care has been taken to deface them. They will also see roads which have still the appellation of highways, and are repaired by the respective parishes, that lead up to the gates of the p—. Now I would ask any one of those **worthy gentlemen**, to what purpose those roads were made? Whether he ever knew a road terminative in that manner, and whether the highways of the kingdom in general don't

don't lead from parish to parish, town to town, without any boundaries at all, until they reach the sea; unless obstructed by a river, and then the way is continued on the other side of it? They will also see near Roehampton a way called Dunditch-lane, with a hedge-row on each side of it, which leads to the p— wall, where formerly a gate stood; but when that gate was taken away, the road became of no other use than to remain a testimony of an oppressive act of lawless power. And be it remembered, that a very little while ago, an attempt was made by a gentleman of figure and fortune, to obtain a grant of that lane, in order to make it his own property; but the tenants of the manor of Wimbledon, to their great honour be it said, absolutely refused to part with that ancient mark of their country's right.—Then if the gentlemen will be so kind as to move a little farther towards Kingston, they will see a road that leads from Dorking, Malden, Combe, and many other places, into that part of the road upon Kingston common, commonly called Gallows-hill, which is directly opposite to a gate of the p—

called Combe gate, where formerly were large gates for the reception of carts, waggons and all other sort of carriages into the p—:—Now I will defy any or all of those gentlemen, to shew me the utility of that road, unless it be continued through the p— to the towns and villages on the other side of it; for, in short, it is the way to no other place whatsoever.

I remember that upon a late memorable occasion, a certain great man had the candour to admit, that before the p— was enclosed, it was all one range of common from Richmond-hill, where a windmill stood, to a place formerly called Blackheath, now Gallows-hill; then I presume it will also be admitted by every body, that a place over which all his majesty's subjects by night, by day, and at all times, without any hindrance or molestation whatever, may travel on foot, on horseback, with cattle, and with all sorts of carriages, may be fairly deemed, and is the best description of a highway.

These

These two points being admitted, I wou'd again ask the said **gentleman**, as there was then a high road upon Richmond-hill, which leads now up to the p— gate, and another high road upon Gallows-hill, which leads from Kingston to London, what there was before the erection of the wall to prevent any of the subjects of England from traveling over that one continued range of common, by night, by day, and at all times, on foot, on horseback, with cattle, and with all sorts of carriages, from one highway to the other highway? Let them but answer me this question, and I shall be very easy in regard to the argument of another very learned gentleman, who was pleased to observe,

“ that altho' the first entrance into a common  
 “ may have the appearance of a highway,  
 “ by its being much used, yet as one pro-  
 “ ceeds farther into it the way will narrow,  
 “ and at last dwindle into a *foot path.*” But with submission I must beg leave to dissent from that gentleman; for instead of the way narrowing, I apprehend it keeps widening, which is the reason that a road in the middle

of

of a common is not so much beat atid wore  
as at their entrance into it.

These, give me leave to say, are marks  
which incontestably prove the subjects right  
to a free uninterrupted passage over some  
part of the said p—; I don't presume to  
point out the track. Then what will it avail,  
their averment of gates, bolts, locks and keys?  
Does it do any thing more than prove their  
own obstructions? To what purpose then  
do they pompously harrangue about fence-  
month? was there any fence-month before  
there was a p—?

It has been admitted that foot people had  
an uninterrupted liberty of passing over the  
p—, and that the ladders erected for their  
conveniency, were never taken down until  
Sir Robert W——le's time. Why then is  
fence-month so loudly dinged in our ears?  
What reason is there for exulting on that ac-  
count? Who are most likely to disturb the  
young game in breeding time? Are not the  
foot people most likely to do damage in that  
respect? The young game are seldom or ne-  
ver

ver laid in the road.—Carriages always keep the road, and horsemen are easily discovered when they stray out of it; but foot passengers may, without much difficulty, conceal themselves from the observing eye of the keeper.

What then! Shall the confident assertions of figure and fortune gentlemen get the better of common sense? Shall the testimony of those, who roundly aver that no man living in lord Rochester's time could be admitted into the p— during fence-month, and at the same time, and almost in the same breath, own, that the ladders were not taken down in fence-month, and consequently all his majesty's subjects, if they thought proper, might then go into the p—, have the preference to that of a number of consistent honest farmers and tradesmen?

The inhabitants of the parishes adjacent to the said p— have further claims, which I shall briefly mention.

The first of which is gravel to repair the highways, a privilege they always enjoyed,

until deprived of it by Sir Robert W——e; that he was conscious of the peoples right, seems plain from an instance I shall produce, viz. The inhabitants of Petersham being refused gravel to repair their roads, the late serjeant Darnell, who had a house there, sent the ranger word, that if the teems were not immediately admitted, he himself would come and order the gates to be pulled down: upon which the right honourable knight thought proper to submit, not caring to engage with so powerful an antagonist.

The second is the under-wood and furz, which were always deemed the property of the poor; at least, they had the privilege of gathering both, until prevented by the same iniquitous power. That the peoples right was not doubted, seems to appear from a circumstance which happened in king Charles the second's time. In the year 1672, or thereabouts, there were a great number of young trees planted in the p—, and complaint having been made to his majesty, that great damage was done to those trees by the people that went into the park a wood-ing, he was pleased to order a sum of money

to be distributed to the parishes round the p— to be laid out in coals for the poor of the respective parishes in lieu of the under-wood ; and the sum allotted to Richmond for that year amounted to eight pounds, as may be seen in the parish accounts.

The third claim is water, with which the houses on Richmond hill have been usually served, and several poor people got a comfortable livelihood by fetching it out of the p— ; but at present an annual sum is paid for that privilege.

These claims seem to be reasonable in themselves ; for as a great part of the p— was common land, king Charles the first, though he had the p— made for his own pleasure, had no thoughts of taking from his subjects these rights of commoning ; they were left for the ministers of these latter days, to shew how well they could improve upon the arbitrary plan of their predecessors.

The obliging of people to part with their lands, altho' more was gave for some of them

G than

than they were worth ; (indeed some lands in the parish of Mortlake were never paid for) and the inclosing of this p— raised a heavy clamour against that prince ; but what would the clamour have been, if he had taken the roads from his subjects in general, and all the rights of commoning from those to whom they belonged ? much greater, and in all probability would sooner have brought on the troubles of which he was so grievously afflicted ; but that was not the case, altho' the properties of particular persons were invaded, the publick were no farther concerned than at the illegality of the action, and to see the prerogative strained beyond the bounds prescribed it by the laws of the land ; for the free use of the roads leading cross the p— remained with the people, his majesty never once attempted to deprive his subjects of them, either by violence, or, as some modern p— inclosers have done, by cajoling the people to consent to a writ of *ad quod damnum* ; they had the same egress and regress as before the p— was enclosed.

When

When the troubles of that unfortunate prince obliged him to leave his capital, the parliament put R—d p— under the administration of the city of London, in whose hands it continued all the time of the civil war and usurpation, until the happy restoration of king Charles the second, during which time it was free and open to all sorts of travellers. As soon as his majesty was settled upon the throne, the magistrates of that city resigned their charge to him, when he very graciously thanked them, and declared they had been his good and faithful stewards ; and assured them of the continuance of their rights and privileges.

During the reign of that prince there were many rangers; but not one of them ever presumed to deprive the people of their rights to the roads, nor any of the other privileges they were used to enjoy. The gates were then open five-barred gates, with only a latch on them for travellers and others to let themselves in and out of the p—— as they thought proper; which continued

until some time in lord Rochester's rangership, when his lordship ordered those gates to be taken down, and close gates to be set up in their stead; and at the same time ladders to be fixed to the wall for the accommodation of foot passengers; it was some time after this, that even locks were put upon those gates; and what his lordship intended by this step is hard to conceive; for he never once pretended in all his time to stop up the roads: neither did his successor the late earl of Clarendon; all persons whatever, without any manner of distinction, being admitted to go through the p— with horses and all sorts of carriages, whether loaded or unloaded, during the time of those two noblemen. The neighbouring parishes had likewise the liberty of gathering the under-wood and cutting furzes in the p—, of digging gravel there for the repairing of their roads, and fetching water for the use of their cattle and houses.

All these rights and privileges were fully enjoyed, until the lord W——le succeeded to the rangership of the p—, upon which there was a succession of new laws and cus-

toms

toms; the old established rights being changed into new-fangled obliging privileges, which the people were to enjoy no longer than during the good will and pleasure of the r——r.

The first right taken from them was the free use of the roads, and this was done under pretence, that so many people's crowding into the park upon hunting-days, made it very incommodious for *those* who delighted in that diversion: Therefore it was thought proper to deliver out tickets to all such as were deemed fitting persons to be admitted upon that occasion. This scheme not meeting with any opposition from the publick, the r——r proceeded to make a farther encroachment upon its rights, by ordering other tickets to be issued out to particular favourites, and that no person should be admitted into the p——, upon any day whatsoever, without producing one of those tickets; by which means the roads were effectually taken away from the generality of the people, none being suffered to occupy them, but such as had interest to procure,

or

or with money thought proper to purchase a ticket.

After this was effected, it was said that some of the great people took delight in shooting, and so many foot-people coming into the park upon shooting days greatly incommoded them; therefore the r—r took it into his head to order the ladders and stiles fixed to the walls at Richmond and Coombe for the conveniency of foot-passengers, to be taken down upon shooting days, and to be set up again when the sport of the day was over. But finding the pulling them down, and putting them up so often, to be attended with a great deal of trouble and some expence, he, truly, at last ordered them to be taken down for good and all, and man-traps to be fixed in their places. A man-trap, I am told, is a machine that will cut a man quite through the middle. These unmerciful traps were set, to catch every man that should presume to go the same way that he and his forefathers had gone from time immemorial.

Thus by degrees, and under the specious pretences of preserving the game, and preventing

venting the great ones of the land from being incommoded in their pleasurable diversions, were rights and privileges of the greatest utility taken away from the publiek, and the ticket-holders themselves were very soon abridged of great part of that privilege, in which they thought themselves secure. For not long afterwards fence-month was invented, which was clapping May and June together, and calling it fence-month; and an order given, that none with common tickets should be admitted into the p——: That privilege was confined to a few that had fence-month tickets, as they were called, delivered to them.

Not long after this, the said tickets, which were made of a base metal, and not very difficult to counterfeit, were called in, and, in their stead, paper tickets stampt at the stamp office with a sixpenny stamp, were delivered out; and as the counterfeiting any of the stamps is by statute a capital felony, this was contrived, to put it in the power of the r——r to hang every man that should dare to use a little art, to obtain a passage over those

those roads, on which he had a legal right to travel.

Can any man of common understanding be one moment at a loss to see the iniquity of this scheme? Was it not making a wicked use of the stamp-office, and prostituting a law of the land to the destruction of liberty and common right?

But to do justice to his lordship, be it remembered, that altho' he was the appointed r—r, it was his father that took upon him the management of the affairs of the p—. It was during the ever-memorable administration of that powerful minister, that the aforesaid rights and privileges were taken from them; the people were afraid to contend with a minister that had all the treasure of the kingdom at his command, and was never known to be niggardly, in supporting any of his arbitrary measures; indeed they ventured to pull down the wall of the p— two or three times when they wanted to preambulate the bounds of their parishes; but he pocketed the affront, and built up the wall again.

Thus

Thus, my countrymen! you see by what arts and dirty contrivances you have been deprived of these very interesting rights—rights which have been clearly proved to belong to you, and which you cannot surrender, without violating the laws of God, of nature, and of the land. The hand of power may indeed take them from you, as well as that of eating, drinking, or breathing; but you cannot surrender the first any more than the last, without offending God that gave them you, and made them inherent to human nature. That every man has a natural right to travel upon the road, is as clear as any axiom in Euclid, it is a self-evident truth, and requires no demonstration. Otherwise, what would it avail him, the power of eating, drinking or breathing the open and fresh air? This is so striking, that it requires no enlargement to make it plain to the meanest capacity.

From whence I must infer, that as you cannot surrender those rights, without offending him from whom we live, move, and have our being, it is absolutely your duty to defend them when any attempt is made to deprive

you of them, and to endeavour by every legal method the recovery of them, when by craft or violence they have been taken and withheld from you. This, I say, is a duty incumbent on every Englishman; therefore, my countrymen! let me beseech you, one and all, to heartily join those sons of freedom who, with a truly British spirit, have so generously undertaken your cause; and at a very great expence of time and money, have gone through difficulties, thought by some to be almost insurmountable—They have no private views to serve—Their only aim is the good of their dear country.—Many obstacles have from time to time been thrown in their way to stop the course of justice; but unawed—undiscouraged by such low attempts, they have persevered with a resolution becoming free-born Englishmen, however obnoxious they may have made themselves thereby to the great and powerful.

O ye worthies! What tribute of thanks, and what honours are due to such exalted virtue? May your noble endeavours meet with success! may the memorial of your great

great services be recorded in the annals of your country, and your names handed down with the utmost reverence to all posterity !

Who besides yourselves would have openly undertaken, supported but by very few, to contend with r——y, and an exc——r, whose sluices were opened to overwhelm you ? Who else would have stemm'd, in these days of venality, the prevailing torrent of bribery and corruption, and have preferred the good of their country to all lucrative views whatever ? **The figure and fortune gentleman,** you know, would not — You have had a long experience of their attachment to their country's interest — But hold, I forbear to expose them — They may at last be convinced of their error, and make some amends for what is past, by their future conduct.

But what can we say for that **gentleman,** who used all the force of eloquence, of which he's a perfect master, to induce the inhabitants of R——, in an address to them, to assert their rights in R—— p——? He wondered at their supineness — How they could

be so tame as to suffer their own and their country's rights to be thus invaded and withheld from them ; and afterwards to become the champion of oppression, by *putting himself at the head of* an opposition to a cause he had before with such energy and strength of reason recommended ? Nothing more can possibly be said for him, than that self-interest is his ruling passion, by which he will be ever obliged to take any side of a question, even to the sacrificing of his country.

You, gentlemen, that have thus far proceeded, I know you too well to need any incitement to perseverance in so glorious an undertaking.—I know you stand as firm as rocks in the sea—immovable by the boisterous waves of power that threaten your destruction ; but I hope you will excuse me, if I call others to your assistance, to share with you the honours of the day, and in some measure to lessen the weight of your great trouble and expence.

Therefore I hope my countrymen in general, will look upon the recovery of their right to the roads through R—— p——

as

as a national concern, which in truth it is, and freely contribute to the support of so great and noble an undertaking; especially the worthy citizens of London, to whose predecessors the promise was made, when they delivered up the p— to his majesty king Charles the second, that they should have all their rights and privileges continued unto them. And it may be presumed, that they had other privileges, which through neglect have been lost in the gulph of time.

One in particular tradition informs us of, which is, that the lord mayor and citizens of London had the privilege of hunting twice a year, and killing a brace of bucks in the p—. Altho' we have this from tradition only, there is no improbability of its being true, if we consider the generosity of the prince who granted it. Perhaps, if the *cabinet records* of the cr——n were suffered to be strictly examined, a grant of that kind might be found amongst them.

Strange

Strange it is, that the fatality of the issue of William the Conqueror, should not have been a warning to all the princes upon earth against park-making, and thereby sacrificing those rights and privileges, which are of the greatest moment to their subjects, to the private pleasures and conveniences of themselves and courtly attendants. That prince laid waste and depopulated a large country of about thirty miles in compass, and in which were thirty-six parish churches; for what? — Only to gratify the insatiable thirst he had for hunting; and all the antient historians attribute the untimely death which befel two of his sons, and his grand-son, in the New-forest \* he had thus made, to the just judgment of almighty God against his family, for his so notoriously violating the laws of the land, and invading the natural rights and privileges of his subjects.

To what other end or purpose are princes called or appointed to preside over the rest of mankind, but for their common benefit

\* New-forest in Hampshire.

and

and security? They are, as St. Paul says, the ministers of God to them for good; and therefore their private pleasures and conveniences should always give way to the publick good.

Can the diversions of hunting or shooting be put in any manner of competition with the general trade and commerce of a kingdom, or even one county? Surely not. Then nobody I think can justify the Conqueror in making his New-forest, nor Charles the first in making his new p— at Richmond; much less some of our late ministers, who lorded it over their fellow-subjects, and took from them those privileges which never entered into the head of the last-mentioned prince to deprive them of.

Therefore, Britons and countrymen, never suffer yourselves to be deluded into a tame submission, but boldly assert your rights, as long as there are any courts of justice left in this poor kingdom to apply to.—Follow the citizens of London, in doing honour to all those worthy patriots, who have with indefatigable zeal laboured to restore a sinking state  
to

to health and vigour — Lay yourselves down at the feet of m——y, and pray without ceasing for their restitution to favour and confidence : But first of all, let your trust be in the almighty dispenser of all good things ; make yourselves worthy of the light of his countenance, by a hearty and steady attachment to religion and virtue, truth and justice, and the laws, rights, and liberties of your country.

*British Museum*



1772. February 21. — A. J. C. —  
Dear Sirs, — I have the pleasure to inform you that  
the Royal Society have accepted my manuscript  
and will publish it in their Transactions. — I am  
very anxious to have it published as soon as  
possible — and I hope to receive a sum  
adequate to cover the expenses of publication.  
I shall be very grateful for any advice you  
may give me on this subject.